

MINUTES
UTAH STATE LPG BOARD
May 2, 2003

BOARD MEMBERS PRESENT

Lynn Froerer	Chair, LP Gas Board
Mark Harris	Vice Chair, LP Gas Board
Randall Austin	LP Gas Gas Board Member
Jim Johnson	LP Gas Board Member
Edward Martin	LP Gas Board Member
H. Scott Sowards	LP Gas Board Member

BOARD MEMBERS EXCUSED

Kevin Eldredge	LP Gas Board Member
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STAFF PRESENT

Brent Halladay	State Fire Marshal's Office
Margo Densley	State Fire Marshal's Office
Ron Gustaveson	State Fire Marshal's Office
Mel Milgrom	State Fire Marshal's Office
Hugo Rico	State Fire Marshal's Office

PRESENT

Brett Steel	SS Supply Inc.
Tom Clark	Mountain States
Chad Brown	Freeway Propane
Steven Durrant	Pitcher Propane

Meeting began at 10:00 AM at the Murray City Hall with Chairman Lynn Froerer presiding.

Item #1 on the agenda was Board meeting called to order and Chairman Lynn Froerer welcomed everyone to the meeting. Board member Kevin Eldredge asked to be excused.

Item #2 on the agenda was reading and approval of the minutes of the January 10, 2003 Board meeting. Mark Harris entertained a motion to approve the minutes with one correction and Edward Martin seconded the motion. All Board members voted in favor.

Item #3 on the agenda was a report by Ron Gustaveson of the activities of the division and monies collected. Ron distributed a report to the board on the activities of the division and explained that there have been more than seventy plan reviews and inspections to complete in the last four months. Ron stated that even though many of the plans have been cages they still have to be reviewed and

require an on-sight inspection. Chief Deputy Brent Halladay explained that we are about \$80,000.00 short in our budget this year. This is due to the fact that Hugo Rico has been brought into the LP Gas program and needed to be trained before he could generate funding for his position as well as implementing the new 5000 gallon privately owned tank inspection program.

Item #4 on the agenda was a report to the Board by Hugo Rico of the RV Inspection & Testing program and the newly written test. Hugo explained that we now have a new test that we have updated to the new NFPA Standard, 1192, Recreational Vehicles, 2002 Edition. A copy of this test was passed out to each Board member. This is a 25 question test that will bring the people that are servicing recreational vehicles up to the newly adopted standards. Hugo stated that a copy of NFPA 1192 will be available for purchase through the State Fire Marshal's Office. Brent explained that Mel, Ron and Hugo will be going out to all of the RV companies with these new requirements for inspecting and testing to get them licensed and certified.

Item #5 on the agenda was a report by Brent Halladay of the 5000 gallon inspection program and it's implementation. Brent stated that he had sent a letter out to the distributors on this matter. This letter asked the distributors to notify the State Fire Marshal's Office of any privately owned containers that are greater than 5000 gallons. The letter also explained that this information would be "Protected". However, we have not had very good response to this letter. The plan will now be to go out and find these tanks that are greater than 5000 gallons. We are in the process of purchasing meters to do cathodic analysis of underground, mounted or below grade LP Gas Containers and Piping Systems. There will also be other equipment purchased to do these inspections correctly. The cost for all of the necessary equipment to do these inspections is estimated to be around \$500 per inspector. Brent stated that there are probably about 300 tanks out there that are over 5000 gallons and will require an inspection. The fee for the inspection will be \$150.00 per container. Deputy Ron Gustaveson is in the process of creating a billing and application system. Board member Edward Martin suggested that another letter be sent out to the industry on this matter. Brent agreed that a second letter may be a good idea.

Item #6 on the agenda was a report by Brent Halladay of proposed changes to R710-6, Liquified Petroleum Gas Rules. Brent stated that the proposed changes to R710-6 are as follows. R710-6-1.3 is to upgrade NFPA 1192 Standard on Recreational Vehicles from the 1999 edition to the 2002 edition. In the 2002 edition NFPA is now rewriting its manuals so that they all fit into what is considered the NFPA manual of style. Instead of four chapters it now has seven. Everything comes out to scope, definitions, and general requirements. Brent stated that there is nothing in this standard that should cause a great amount of change or concern for the recreational vehicle industry. Brent explained that NFPA will no longer sell the 1999 edition of this book, therefore Hugo wrote the test for the 2002 edition. Brent stated that it would be his recommendation that we now use the 2002 edition of this book. R710-6-4.7.1 states that the re-examination to comply with the provisions of Section 4.3 of these rules shall consist of one 25 question open book examination. Brent purposed that we change the verbiage in this rule to one open book examination and eliminate the specific number of questions. This will also effect R710-6- 4.7.2. In R710-6- 4.18 forty five is spelled out. The proper English way of doing this is to use the number 45, so this would just be an editorial correction. R710-6-5.2.9 refers to fees. We have a new policy in the State Fire Marshal's Office. When this office receives a bounced check whomever bounced the check will receive a call from the office, stating that we will have someone out to their facility within a few days to collect a cashiers

check or cash. If this person does not comply their facility will be red tagged and shut down. This is already allowed in the rules. Brent explained that he would like to also add to the rules that if a person or applicant fails to pay the license fees, certificate of registration fees, examination fees or other fees as required in section six that this is grounds for suspension or revocation. There will also be a fee for collecting, as required by the State. Also, for the Boards information in section six under fees, duplicates and re-examinations are listed. In the past the Fire Marshal's Office has been gracious enough to waive the charge for these items. However, we will now be charging the \$30.00 duplicate card fee and the \$20.00 fee for a re-examination. If these changes are passed by the Board they will go into effect on July 2, 2003. Mark Harris made a motion to approve these changes and Randall Austin seconded the motion. All Board members voted in favor. Discussion was held on this matter. Brent also explained that when an application is sent to our office for a certificate in LP Gas, Portable Fire Extinguishers, Hood Systems, and Sprinkler Systems (when we begin to license Automatic Fire Sprinkler Systems) a background check is done. Rick Wyss, the attorney for the State Fire Marshal's Office suggested that we refine this rule. In R710-6-5.2.7.3 it states, a crime that bears upon the person or applicants ability to perform their functions and duties. However, sometimes a person can perform their duties and still be a hazard to the public. We will discuss this matter further at the next Board meeting.

Item # 7 on the agenda was a presentation to the Board by Brent Halladay on the newly released NFPA 54, 2002 edition. Brent explained that the NFPA 54, 2002 edition is in the catalog but not available until June. NFPA 54, 2002 edition will be discussed in the next Board meeting.

Item #8 on the agenda was a presentation to the Board by Brent Halladay on any conflict between NFPA 54, 2002 edition, and the International Fuel Gas Code, 2003 edition. Brent explained that the State now has two gas association standards for fuel codes, the NFPA standard and an IFGC standard. Brent explained that these two books are very similar. The statute specifically states that the LP Gas Safety Act will stay as closely as possible to the NFPA Standards. This office uses NFPA 54 and NFPA 58 and we also now use NFPA 1192. The State of Utah has adopted the International Fuel Gas Code. The International Code Council and NFPA tried to reach an agreement and after several months of negotiations it did not work out. The building official will be using the IFGC standard, because this is what the Building Codes Commission has adopted. Brent suggested that the Board may want to adopt the IFGC as a standard with the fact that whichever is more restrictive applies, before we have a problem. Brent explained that he is concerned that we have two separate standards adopted in the State of Utah. This may eventually cause problems. Board member Jim Johnson stated that he has studied both books and would also like to see something more standardized so that which ever is most stringent should be enforced. Brett Steel of SS Supply Inc. stated that there are many different codes being used in the LP Gas industry and this is very confusing. Brett stated that the State of Utah should be consistent with everyone using the same codes. Brent suggested that the State Fire Marshal's Office send a letter to the LP Gas industry asking for comments on this matter. Brent will report back to the Board on the comments that this office receives at the next Board meeting.

Item #9 on the agenda was Old Business. Mark Harris of the LP Gas Board asked if the LP Gas industry requires liability insurance to be licensed. Brent stated that the State of Utah in the LP Gas Safety Act does not require insurance to be licensed. Brent explained that this has never been a requirement for the LP Gas industry. However, insurance is something that could be placed in the

rule, if the Board so indicates the feeling that there should be a minimum amount of public liability insurance required to do business. Mark Harris passed out to the Board a copy of the Nevada license application and pointed out the extra requirements including liability insurance. Scott Sowards of the Board expressed concerns of the requirements and costs of insurance. Scott feels that in the future this would create a large expense problem especially for the smaller companies. Brett Steel of SS Supply Inc. explained that all of the distributors that haul propane are already required by the State of Utah to be insured. Brett stated that extra insurance requirements would just create more unnecessary work for the State Fire Marshal's Office. Brent explained that the Board members need to decide whether liability insurance would be a business issue or a safety issue. If the Board decides that this is just a business issue, then insurance should not be required. Discussion was held on this matter. Brent suggested that a letter be sent out to the industry to get their feelings on this matter. Insurance issues will be discussed at the next Board meeting. Myron "Mel" Milgrom of the State Fire Marshal's Office reported on the class that was held on March 5, 2003 for the LP Gas industry and the Highway Patrol UTEP officers. This class was on the new DOT requirements for pressure vessel testing, hose management, and hazmat training. This class was provided by the State Fire Marshal's Office, PERC, and the USDOT. Mel wished to thank Rich Bergstrom of PERC for providing lunch for this class. There was a very good response to this class and it was well received. Discussion was held on this matter.

Item #10 on the agenda was New Business. Hugo Rico of the State Fire Marshal's Office explained that on April 23, 2003 he received a complaint from an employee at Manila High School that there was a propane leak. Hugo reported that on April 24, 2003 he arrived at the school to do an investigation and several leaks were found. Hugo contacted OSHA because the Principal and Superintendent of the school had previously been notified of a potential leak and nothing had been done to check into this problem. Hugo also shut down several areas of the school to contain the leaks. However, the school was never closed completely. By Saturday all of the leaks were repaired and the school was able to resume normal activities by Monday morning. The school was cited by OSHA. Hopefully we have averted a very possibly dangerous situation. Chairman Lynn Froerer stated that our 5000 gallon inspection program might prevent some of these situations in the future. Brent explained that we should inquire about CO and LP Gas detection equipment for our inspectors. Much discussion was held on this matter. Jim Johnson inquired about a list that the State Fire Marshals Office may be able to provide that would include people that are certified to do LP Gas piping. Brent stated that the office could provide the inspectors with this list.

Item #11 on the agenda was next meeting date and time. It was decided that August 1, 2003, at 10:00 AM would be the next meeting date at the Murray City Hall. Jim Johnson made a motion to adjourn the meeting, Mark Harris seconded the motion, and all Board members voted in favor.